

REMARKS

Applicant notes with appreciation that, in the Office Action of December 15, 2009, claims 16 and 17 were allowed and claims 6, 7 and 11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, claims 1-5, 9, 10, 12, 13 and 15 were rejected under U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 7,142,699 B2 (hereinafter “Reisman et al.”). In addition, claims 8 and 14 were rejected under U.S.C. §103(a) as allegedly being unpatentable over Reisman et al. or Reisman et al. in view of U.S. Patent No. 5,926,555 (hereinafter “Ort et al.”). Furthermore, claim 1 was rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of co-pending Application No. 10/541,910 (U.S. Patent Application Publication No. 2006/0072794 A1).

On March 12, 2009, a telephone interview between the undersigned attorney and Examiner Michael J. Vanchy Jr. was conducted. In the telephone interview, the independent claim 1 was discussed with respect to the cited reference of Reisman et al. In particular, differences between the claimed invention and the cited reference of Reisman et al. were discussed. Possible claim amendments to more clearly distinguish the claimed invention from the cited reference of Reisman et al. were also discussed. No agreement was reached.

In response, Applicant has amended the independent claim 1 to more clearly distinguish the claimed invention from the cited reference of Reisman et al. As amended, the independent claim 1 is not obvious over the cited reference of Reisman et al., as explained below.

With respect to the “provisional” obviousness-type double patenting rejection of claim 1, Applicant notes herein that this rejection will be addressed at a later time, assuming that this rejection is still applicable.

In view of the claim amendments and the following remarks, Applicant respectfully requests that the pending claims 1-15 be allowed in addition to the allowed claims 16 and 17.

5 I. Patentability of Amended Independent Claim 1

As amended, the independent claim 1 recites in part “*the continuous areas of the image that have been obtained using the first set of Gabor filters are each further filtered exclusively with a single Gabor filter adapted to the given direction so that the*
10 *continuous areas are filtered by corresponding Gabor filters according to the different directions of the continuous areas,*” which is not disclosed in the cited reference of Reisman et al. Thus, Applicant respectfully asserts that the amended independent claim 1 is not obvious over the cited reference of Reisman et al., and requests that the independent claim 1 be allowed.

15

The cited reference of Reisman et al. discloses a method for matching fingerprint images. The cited reference of Reisman et al. discloses first applying a bank of Gabor filters to a normalized image J to produce an enhanced fingerprint image H, as described in column 6, lines 6-8, and then filtering the enhanced image H
20 using eight Gabor filters, as described in column 6, lines 40-41. In particular, the entire enhanced image H is filtered by each of the eight Gabor filters to derive a standard deviation map that “comprises 8 images corresponding to the 8 filtered images,” as described in column 11, lines 11-17. Thus, the cited reference of Reisman et al. fails to disclose further filtering each of the continuous areas, which are
25 obtained using a set of Gabor filters, exclusively with a single Gabor filter adapted to the given direction. Consequently, the cited reference of Reisman et al. fails to disclose the limitations of “*the continuous areas of the image that have been obtained using the first set of Gabor filters are each further filtered exclusively with a single Gabor filter adapted to the given direction so that the continuous areas are filtered by*
30 *corresponding Gabor filters according to the different directions of the continuous areas,*” as recited in the amended independent claim 1.

Since the cited reference of Reisman et al. does not disclose each limitation of the amended independent claim 1, Applicant respectfully asserts that the amended

independent claim 1 is not obvious over the cited reference Reisman et al. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

II. Patentability of Dependent Claims 2-15

5

Each of the dependent claims 2-15 depends on the amended independent claim 1. As such, these dependent claims include all the limitations of the amended independent claim 1. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as the amended independent claim 1.

10

Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

15

Respectfully submitted,
Reinhard Meier

20

Date: March 12, 2009

By: thomas h. ham/
Thomas H. Ham
Registration No. 43,654
Telephone: (925) 249-1300